

## **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for careful consideration this application.

### **I. Disposition of Claims**

Claims 1-40 are pending in the application. Claims 1 and 21 are independent claims. The remaining claims depend, directly or indirectly, from claim 1 or 21.

### **II. Claim Amendments**

Claims 1, 11, 14, 15, 18, 21, 31, 34, 35, 38 have been amended to clarify the present invention. Claims 12, 13, 32, 33 have been cancelled by this reply. No new matter has been added by these amendments.

### **III. Rejection(s) under 35 U.S.C § 103**

Claims 1-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,453,605 issued to Short, Jr. ("Short") in view of U.S. Patent No. 4,009,027 issued to Naidich et al. ("Naidich"). Claims 21-40 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Short in view of Naidich. These rejections are respectfully traversed.

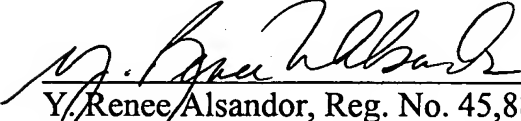
Independent claims 1 and 21 as amended recite a "brazing alloy comprising

silver in an amount of at least 40% by weight, copper in an amount of at least about 10% by weight, at least one selected from the group of zinc and tin, and about 0.5% to about 10% by weight of at least one selected from the group of gallium (Ga), indium (In), and thallium (Tl).” Neither Short nor Naidich discloses or suggests a braze alloy as recited in claims 1 and 21. Accordingly, claims 1 and 21 are patentable over the combination of Short in view of Naidich. Claims 2-11, 14-19, 22-31, and 34-40, which depend directly or indirectly from claim 1 or claim 21, are patentable for at least the same reasons. Therefore, withdrawal of the rejections is respectfully requested.

#### IV. Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 192745 (Reference Number 03-GD93).

Respectfully submitted,

  
\_\_\_\_\_  
Y. Renee Alsandor, Reg. No. 45,883  
Smith International, Inc  
16740 Hardy Street  
Houston, TX 77032  
Telephone: (281) 233-5677  
Facsimile: (281) 233-5970

Date: 12-21-05